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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

In the Matter of :
: Administrative Action
Alan M. Kratenstein, D.D.S. :
: ORDER
Holding an Inactive License :
in the State of New Jersey :
:

This matter has been opened to the New Jersey State Board of Dentistry (hereinafter "the Board") upon an Order To Cause issued by the Board to Alan M. Kratenstein, D.D.S. (hereinafter "respondent") to show cause why he should be allowed to activate his license and practice dentistry in the State of New Jersey. The Order to Show Cause arose out of the application of respondent for reactivation of his New Jersey dental license. Along with the application for reactivation of respondent's license, the Board had reviewed, among other things, information on a 1992 disciplinary action against respondent taken by New York where respondent is currently licensed. The disciplinary action related to quality of care issues, particularly concerning endodontics and prosthodontics.

Additionally, the Board reviewed a 1994 letter by Kathy Rohr, Deputy Attorney General, to respondent's attorney which had been forwarded with regard to the 1992 New York disciplinary action. In summary, the letter stated that although the Board had determined to take no action against respondent at that time, the Board

retained the authority to review the matter in the event he sought to activate his license in New Jersey.

On November 5, 1997, respondent appeared before the Board with his attorney Robert Asher, Esq. to present mitigating factors concerning the 1992 New York disciplinary action against him and to present proof of his qualifications to practice dentistry in this State. Having met all the requirements to appear pro hac vice, Mr. Asher was granted admission to represent respondent before the Board in this matter.

The record reflected that respondent, as a licensee of the State of New York, had been charged with five specifications of professional misconduct in his practice of dentistry. The Board considered all the charges to be serious ones which directly and adversely impacted on the care and treatment of respondent's patients. In the New York Consent Order concerning this matter, respondent admitted guilt to the Fifth Specification of Professional Misconduct which charged him with negligence on more than one occasion, such as unnecessary splinting and failure to chart the taking of x-rays.

The Consent Order further disclosed that respondent agreed that his license to practice dentistry in the State of New York be suspended, partially, in the areas of endodontics and fixed prosthodontics until he completed twenty hours of course work in endodontics and twenty hours of course work in fixed prosthodontics. Further, his license to practice as a dentist in all areas of the practice of dentistry, except the areas of

endodontics and fixed prosthodontics, be suspended for two years, which suspension was stayed and became a probationary period. Respondent further agreed to be fined \$2,500.00.

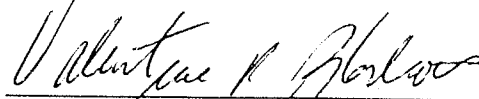
The Board, having thoroughly reviewed the record before it and having considered respondent's testimony, found that respondent did not present any information which mitigated the disciplinary action taken by the State of New York. Moreover, the Board found that during the intervening years, it does not appear that respondent has taken any course of action to remediate his ability to practice dentistry, and he has not demonstrated that he has attempted to enhance his technical skills. Based upon the disciplinary action taken by the State of New York and the whole record, respondent's actions give rise to discipline pursuant to N.J.S.A. 45:1-21 (c), (d), (e), and (g).

THEREFORE, IT IS ON THIS 17th DAY OF DECEMBER 1997,

ORDERED THAT:

1. The application of Alan M. Kratenstein, D.D.S. for reactivation of his New Jersey dental license is DENIED.

NEW JERSEY STATE BOARD OF DENTISTRY



Valentine Bloch, D.D.S.
President